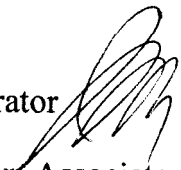


# COUNTY OF YORK

## MEMORANDUM

**DATE:** September 2, 2005 (BOS Mtg. 9/20/05)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator 

**SUBJECT:** Application No. UP-678-05, Robert Brown Associates, Chick-fil-A

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (Category 11, No. 14) of the York County Zoning Ordinance, to authorize a 4,237-square foot fast food restaurant with drive-through service, located on a portion of 6720 Mooretown Road (Route 603). The property, identified as a portion of Assessor's Parcel No. 2-9-B2, is zoned EO (Economic Opportunity) and is designated for Economic Opportunity development in the Comprehensive Plan.

### DESCRIPTION

- Property Owner: Brown Development Company LLC
- Location: 6720 Mooretown Road (Route 603)
- Area: 1.34 acres of a 3.63-acre parcel
- Frontage: Approximately 134 feet on Mooretown Road
- Utilities: The property is currently served by public water and sewer
- Topography: Predominantly flat
- 2015 Land Use Map Designation: Economic Opportunity
- Zoning Classification: GB – General Business  
WMP – Watershed Management and Protection Area Overlay
- Existing Development: none
- Surrounding Development:
  - North: Regional storm water management pond, Lowe's Improvement Center beyond
  - East: Home Depot
  - South: Vacant, future Williamsburg Marketcenter shopping center
  - West: Sentara Williamsburg Community Hospital (under construction)

- Proposed Development: 4,237-square foot fast food restaurant with drive-through service

### **CONSIDERATIONS/CONCLUSIONS**

1. The applicant proposes to occupy a portion of a residual parcel subdivided from the adjacent Home Depot property. Access to the site would be from the interior of the Home Depot parking lot. The applicant proposes two driveways connecting the subject parcel to an existing 45-foot joint access easement located along the western side of the Home Depot parking lot.
2. Land uses in the vicinity of the property are commercial in nature, including two home improvement centers, a hospital, future shopping center, and office complex. The proposed restaurant would be compatible with these uses.
3. In accordance with Zoning Ordinance Section 24.1-606(k), a minimum of 64 parking spaces would be required for the proposed restaurant with an additional 11 spaces for the drive-through aisle. Plans submitted by the applicant comply with these minimum standards.
4. In conjunction with the Special Use Permit for Home Depot (UP-624-03), a traffic impact analysis (TIA) was submitted which included evaluation of unspecified future commercial development on the subject parcel. The applicant has submitted an updated TIA that includes analysis of the proposed restaurant use. Staff concurs with its conclusion that existing and proposed Mooretown Road traffic improvements (including signalization of the main entrances for the shopping center and hospital) adequately address potential traffic impacts of the proposed use.
5. This property is located within the WMP – Watershed Management and Protection area overlay district. Storm water and water quality impacts related to future development of this parcel were taken into account during review of site plans for the existing Home Depot center. All storm water runoff from the parcel will be directed to the existing regional storm water management pond located at the northern end of the Home Depot property.
6. The property is subject to Zoning Ordinance Section 24.1-245, Greenbelts, which requires an undisturbed 45-foot landscape buffer along Mooretown Road. A proposed approval condition addresses this requirement.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its regular meeting on August 10, 2005 and, subsequent to conducting a public hearing at which only the applicant's agent spoke, voted 5:0 (Messrs. Hamilton and Barba absent) to recommend approval.

**COUNTY ADMINISTRATOR'S RECOMMENDATION**

Development of this parcel for commercial uses such as a fast food restaurant was anticipated at the time the Home Depot center was approved. The proposed use would be compatible with surrounding existing and proposed commercial uses, and given the proposed approval conditions, would be in conformance with Zoning Ordinance and Comprehensive Plan provisions. Therefore, based on the considerations outlined above, I recommend that the Board approve this application. This can be accomplished through the adoption of proposed Resolution No. R05-152.

Attachments:

- Excerpts of Planning Commission minutes, August 10, 2005
- Zoning Map
- Concept Plan
- Sketch Plan
- Applicant's building elevations
- Proposed Resolution No. R05-152

Carter/3337/AMP